

**DISPOSITION:** December 17, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution for use as animal feed.

**18336. Adulteration of canned beets. U. S. v. 45 Cases \* \* \*. (F. D. C. No. 32062. Sample No. 16190-L.)**

**LIBEL FILED:** November 5, 1951, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about October 31, 1950, from Appleton, Wis.

**PRODUCT:** 45 cases, each containing 6 1-pound cans, of beets at Kansas City, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its chemical decomposition. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 3, 1952. Default decree of destruction.

**18337. Adulteration of olives. U. S. v. 42 Cases \* \* \*. (F. D. C. No. 32082. Sample No. 31589-L.)**

**LIBEL FILED:** On or about November 14, 1951, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about August 10, 1951, by Arturo Cert, from Seville, Spain.

**PRODUCT:** 42 cases, each containing 12 2-pound, 3-ounce cans, of olives at St. Louis, Mo.

**LABEL, IN PART:** "Spanish Manzanilla Olives Stuffed With Anchovies."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. Examination disclosed that the product was decomposed.

**DISPOSITION:** December 6, 1951. Default decree of condemnation and destruction.

### TOMATOES AND TOMATO PRODUCTS

**18338. Adulteration of canned tomatoes. U. S. v. 226 Cases \* \* \*. (F. D. C. No. 32115. Sample No. 19280-L.)**

**LIBEL FILED:** November 23, 1951, District of Minnesota.

**ALLEGED SHIPMENT:** On or about October 15, 1951, by the Ingalls Canning Co., from Pendleton, Ind.

**PRODUCT:** 226 cases, each containing 6 6-pound, 6-ounce cans, of tomatoes at Minneapolis, Minn.

**LABEL, IN PART:** "Red Gem Brand \* \* \* Tomatoes Packed by Westwood Canning Co., Inc., New Castle, Ind."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed material.

**DISPOSITION:** January 9, 1952. A default decree was entered ordering the product denatured for use as animal feed or destroyed.

**18339. Adulteration of tomato paste. U. S. v. 64 Cases \* \* \*. (F. D. C. No. 31906. Sample No. 12930-L.)**

**LIBEL FILED:** October 31, 1951, District of Colorado.

**ALLEGED SHIPMENT:** On or about April 17, 1951, from New York, N. Y.

**PRODUCT:** 64 cases, each containing 50 30-ounce cans, of tomato paste at Denver, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was undergoing progressive spoilage. It was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 6, 1951. Decree of condemnation and destruction.

**18340. Adulteration of tomato puree. U. S. v. 149 Cases \* \* \*. (F. D. C. No. 31974. Sample No. 26374-L.)**

**LIBEL FILED:** November 1, 1951, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 12, 1951, by Morris April Bros., from Tuckahoe, N. J.

**PRODUCT:** 149 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Philadelphia, Pa.

**LABEL, IN PART:** "Arthur Brand Fancy Tomato Puree."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots, and of a decomposed substance by reason of the presence of decomposed tomato material; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 11, 1951. Default decree of condemnation and destruction.

**18341. Adulteration of tomato puree. U. S. v. 8 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 32035, 32036. Sample Nos. 7862-L, 7864-L.)**

**LIBELS FILED:** October 22, 1951, Western District of New York.

**ALLEGED SHIPMENT:** On or about April 23, 1951, from Portugal.

**PRODUCT:** 27 cases, each containing 10 cans, of tomato puree at Buffalo, N. Y.

**LABEL, IN PART:** "Tomato Puree Gross Weight Ab. 5 Kg."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was undergoing progressive spoilage. It was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 20, 1951. Default decrees of condemnation and destruction.

**18342. Misbranding of tomato juice. U. S. v. 80 Cases \* \* \*. (F. D. C. No. 32063. Sample No. 18992-L.)**

**LIBEL FILED:** November 2, 1951, District of South Dakota.

**ALLEGED SHIPMENT:** On or about September 10, 1951, by Dwan's Home Canned Products, St. Joseph, Mich.

**PRODUCT:** 80 cases, each containing 12 cans, of tomato juice at Sioux Falls, S. Dak.